

THE HARBOR SAFETY, OPERATIONS AND NAVIGATION COMMITTEE of THE PORT OF NEW YORK and NEW JERSEY

Andrew McGovern – Chairman Linda O’Leary – Co Vice Chair Genevieve Boehm - Co Vice Chair Lucy Ambrosino-Marchark – Secretary
Harborops.com

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Office of the Secretary
Federal Communications Commission
445 Twelfth St., SW, TW- 325
Washington, DC 20554

Re: DA 04-378, RM-10821

By way of introduction, the Harbor Safety, Navigation and Operations Committee (Committee) is a standing committee that represents all facets of the maritime community, as well state and local regulatory agencies. As its mission, the Committee is charged with providing the Port of New York & New Jersey with state-of-the-art operational capabilities, focused on enhanced safety, environmental protection and business competitiveness and opportunities within the port complex. In addition, the Committee was recognized as the “*Harbor Safety Committee of the Year*” in 2001.

We find the MARITEL proposal extremely disturbing in its potential impact on maritime safety and security. These frequencies were designated by international agreement after much discussion. The future benefits of AIS will not be realized under MARITEL’s proposal.

MARITEL also did not reveal the amount of the royalty they were expecting to pay to the vessels supplying the initial information if MARITEL were allowed to charge for the dissemination of that information. The Committee believes MARITEL should not suffer due to the outcome of this rule making, they purchased the frequency from the FCC and the FCC should therefore fairly compensate MARITEL for the loss of the frequency.

The Committee therefore supports the proposal by the National Telecommunications and Information Administration (NTIA) that the Commission allocate channels 87B and 88B exclusively for AIS. Such action conforms to international agreements and is in the public interest.

Andrew McGovern
Chairman